

09/719957

Rec'd PCT 26 NOV 2001

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket No: GSM 03-883817

First Named Inventor: AHMADI ET AL.

Complete if known: Serial No: 09/719957 Filing Date: December 18, 2000

Group Art Unit: Examiner:

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **BALIWARE**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):Certified Copy

<u>Priority Claimed</u>	<u>Attached</u>
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No

(Number)	(Country)	(Month/Day/Year Filed)
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<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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(Number)	(Country)	(Month/Day/Year Filed)
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<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

Application No:

Filing Date:

60/089,772

June 18, 1998

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>PCT/C A 99/00560</u>	<u>June 18, 1999</u>	
<u>US Parent Application No.</u>	<u>Parent Filing Date</u>	<u>Parent Patent Number</u>
<u>or PCT Parent Appln. No.</u>		<u>(if applicable)</u>

And I hereby appoint HAYES, SOLOWAY, HENNESSEY, GROSSMAN & HAGE, P.C., a firm composed of Oliver W. Hayes, Reg. No. 15,867; Norman P. Soloway, Reg. No. 24,315; William O. Hennessey, Reg. No. 32,037; Susan H. Hage, Reg. No. 29,646; Steven J. Grossman, Reg. No. 35,001; and Donald J. Petteault, Reg. No. 40,126, or any of them, of 175 Canal Street, Manchester, New Hampshire 03101 (Telephone: 603-668-1400); or Edmund Paul Pfleger, Reg. No. 41,252; Dale F. Regelman, Reg. No. 43,625; or Kevin M. Drucker, Reg. No. 47,537, or any of them, of 130 W. Cushing Street, Tucson, Arizona 85701 (Telephone: 520-882-7623) my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Parent Office connected therewith.

Please direct all future correspondence in connection with this application to the attention of Norman P. Soloway, HAYES, SOLOWAY, HENNESSEY, GROSSMAN & HAGE, P.C., 175 Canal Street, Manchester, New Hampshire 03101 (Telephone: 603-668-1400).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Babak Ahmadi

First Inventor's signature Babak Ahmadi Date June 1, 2001
 Residence: 2322 Lawson Avenue, West Vancouver, British Columbia V7V 2S6, Canada
 Citizenship: Canada
 Post Office Address: Same as Residence CA

Full name of second joint inventor: Cat Wimmer

Date

January 1/2001

Second inventor's signature

Residence: 9 West Broadway, Vancouver, British Columbia V5Y 1P1, Canada

Citizenship: Canada

Post Office Address: Same as Residence

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IMPORTANT NOTICE RE DUTY OF CANDOR AND GOOD FAITH

The Duty of Disclosure requirements of Section 1.56(a), of Title 37 of the Code of Federal Regulations are as follows:

A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantially involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

By virtue of this regulation each inventor executing the Declaration for the filing of a Patent Application acknowledges his duty to disclose information of which he is aware and which may be material to the examination of the application.

Inherent in this is the duty to disclose any knowledge or belief that the invention:

(a) was ever known or used in the United States of America before his invention thereof;

(b) was patented or described in any printed publication in any country before his invention thereof or more than one year prior to the actual filing date of the U.S. patent application;

(c) was in public use or on sale in the United States of America more than one year prior to the actual filing date of the U.S. patent application; or

(d) has been patented or made the subject of inventor's certificate issued before the actual filing date of the U.S. patent application in any country foreign to the United States of America on an application filed by him or his legal representatives or assigns more than twelve months before the actual filing date in the United States.

NOTE: The "Information" concerned includes, but is not limited to, all published applications and patents, including applicant's and assignee's own, U.S. or foreign applications and patents, as well as any other pertinent prior art known, or which becomes known, to the inventor or his representatives. Where English language equivalents of foreign language documents are known, they should be identified and, when possible, copies supplied. Failure to comply with this requirement may result in a patent issued on the application being held invalid even if the known prior art which is not supplied is material to only one claim of that patent.

In Re Application Of: AHMADI ET AL.

Serial No.	Filing Date	Examiner	Group Art Unit
09/719,957	DECEMBER 18, 2000		

Invention:

BAIT SOFTWARE

Calculation and Payment of Fees

Enclosed are the following fees:

6. Petition fee under 37 CFR 1.17(m) in the amount of: \$1,280.00

7. Fee for amendment in the amount of: _____

8. Fee for extension of time to respond to Office Action in the amount of: _____

9. Issue fee in the amount of: _____

10. Continuing application filing fee in the amount of: _____

11. Terminal disclaimer fee in the amount of: _____

12. Surcharge \$130.00

12/01/2001 | LANDGRA 00000069 09719957

Total fees enclosed: \$1,410.00

01 Fit:141
02 Fit:154

1280.00 OP
130.00 OP

The fee of **\$1,410** is to be paid as follows:

A check in the amount of the fee is enclosed.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **08-1391**

A duplicate copy of this sheet is enclosed.

Petition For Revival Of An Application For Patent Abandoned Unintentionally
Under 37 CFR 1.137(b) (Large Entity)

Docket No.
GSH 08-883817

In Re Application Of: AHMADI ET AL.

NOV 26 2001

Serial No. 09/719,957	Filing Date DECEMBER 18, 2000	Examiner	Group Art Unit
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Invention:

BAIT SOFTWARE

ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. A proposed reply to the above-identified notice or action:

is enclosed. was filed on _____

The proposed reply is in the form of: Declaration and Power of Attorney _____

2. The issue fee:

is enclosed. was paid on _____

3. The abandoned application was a:

design application. utility application. plant application.

4. A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

Petition For Revival Of An Application For Patent Abandoned Unintentionally
Under 37 CFR 1.137(b) (Large Entity)

Docket No.
GSH 08-883817

In Re Application Of: AHMADI ET AL.

Serial No.
09/719,957

Filing Date
DECEMBER 18, 2000

Examiner

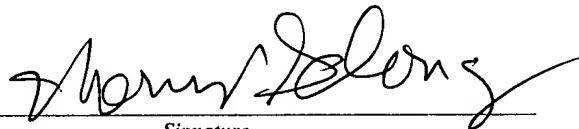
Group Art Unit

Invention:

BAIT SOFTWARE

Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.



Signature

Dated:

Norman P. Soloway Reg. No. 24,315
Hayes, Soloway, Hennessey, Grossman & Hage, P.C.
130 W. Cushing Street
Tucson, Arizona 85701

I certify that this document and fee is being deposited on October 18, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Signature of Person Mailing Correspondence

KIMBERLY GOOD

Typed or Printed Name of Person Mailing Correspondence

CC: